

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kotzin)
)
For: A Method and System for)
Managing Access to Presence)
Attribute Information)
)
Serial No.: 10/749,321)
)
Filed: December 31, 2003)
)
Examiner: Lee, C.)
)
Art Unit: 2181)

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Board of Patent Appeals and Interferences

**TRANSMITTAL OF APPEAL BRIEF, and
PETITION REQUESTING A THREE MONTH EXTENSION**

The enclosed brief is being filed in furtherance of the Notice of Appeal filed on December 31, 2008, and Notice of Panel Decision from Pre-Appeal Brief Review, mailed January 26, 2009. The present filing date of May 26, 2009, is within the permissible two month term for filing the present brief, measured from the filing of the Notice of Appeal, extended an additional three months.

In connection with filing the Appeal Brief, a fee in the amount of \$1140 is believed to be due, which corresponds to the fee (\$30) for filing an Appeal Brief after having been reduced by an appropriately applied credit for previously paid fees (\$540 minus \$510), as well as the fee

(\$1,110) associated with filing a Petition Requesting a Three Month Extension. The fee for filing an Appeal Brief in the amount of \$540 has in effect already partially been paid, as the presently due fee is appropriately reduced by \$510, an amount corresponding to a previous amount already paid in connection with the previous filings of an Appeal Brief on March 20, 2007, and June 23, 2008. The previous Appeal Brief filing fee should be applied to the filing of a later Appeal Brief in the same application, because the prosecution was re-opened by the Examiner, prior to a decision on the merits by the Board. Consequently the previous fees paid are appropriate to be applied to a later filed Appeal Brief (see MPEP §1207.04).

The undersigned authorizes the Commissioner and respectfully requests that these fees be charged to Motorola's deposit account 50-2117. The Commissioner is further authorized to charge any additional fees deemed to be necessary in connection with the proper handling and consideration of the enclosed Appeal Brief in support of the appeal from the Examiner's final rejection, including any underpayments, and/or credit any overpayments to deposit account 50-2117.

Respectfully submitted,

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